

LABOR COMPLIANCE PROGRAM ANNUAL REPORT

Suggested Format for Awarding Body that enforces its own Labor Compliance Program for all projects (Labor Code §1771.5(a))

Report for the reporting period 09/01/2009 to 06/30/2010
(mm/dd/yyyy) (mm/dd/yyyy)

1. Name of Labor Compliance Program (LCP): **CS & Associates, Inc. for Santa Ana Unified School District**

3. Date of Initial Approval: **September 12, 2003**

2. LCP I.D. Number (assigned by DIR): **2003.00338**

4. Contact person (include name, title, address, telephone, fax, and e-mail, if available):

Todd Butcher, Manager of Construction

1601 E. Chestnut Ave.

Santa Ana, CA 92701

(714) 480-5355 Office (714) 480-5373 Fax

5. Did LCP perform any LC § 1771.5 enforcement activities during the 12 months in the reporting period?

Please check one:

☒ **YES**

If Yes, proceed to item 6 on the next page

☐ **NO**

If No, complete the information below, sign the form and submit to DIR, Office of the Director, Attn: LCP Special Assistant.

455 Golden Gate Avenue, 10th Floor, San Francisco CA 94102

What suggestions do you have for the Department of Industrial Relations to better assist you with your program in the coming year? (attach additional sheets if necessary)

SUBMITTED BY:

Signature

Name and Title

Date

6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary).

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Carr Intermediate School	July 10, 2008	Al Shankle Construction	\$4,199,000.00
Martin Elementary School	July 10, 2008	P.H. Hagopian	\$4,447,500.00
Santiago Elementary School	July 10, 2008	P.H. Hagopian	\$4,447,500.00
Diamond Elementary School	October 15, 2008	P.H. Hagopian	\$5,224,000.00
Kennedy Elementary School	October 15, 2008	P.H. Hagopian	\$6,755,000.00
Greenville Elementary School	October 15, 2008	Silver Creek Industries	\$4,718,500.00
Lowell Elementary School	October 15, 2008	Silver Creek Industries	\$4,718,500.00
Carr Intermediate School – Phase 2	March 24, 2009	P.H. Hagopian	\$880,988.00
Diamond Elementary School – Phase 2	April 24, 2009	Minco Construction	\$1,077,800.00
Greenville Elementary School – Phase 2	April 24, 2009	Y & M Construction Inc.	\$1,107,758.00
Santiago Elementary School – Phase 2	July 10, 2009	P.H. Hagopian	\$1,357,599.00
Kennedy Elementary School – Phase 2	August 20, 2009	Minco Construction	\$1,979,000.00
Martin Elementary School – Phase 2	April 22, 2009	Hardy & Harper Inc.	\$1,190,630.00
Lowell ES – Site Improvements-Phase 2	June 30, 2009	Micon Construction	\$1,245,330.00
Sierra IS – ORG	October 20, 2009	ACC Contractors	\$7,621,000.00
Heninger ES – ORG	November 3, 2009	Multiple Primes (see attached list)	\$7,654,000.00
Saddleback HS-Solar Project	July 1, 2009	Chevron Energy Solutions	\$12,538,185.00
Santa Ana HS – MOD	May 3, 2010	Multiple Primes (see attached list)	\$15,000,000.00
Fremont ES-ERP #1001-Roofing	April 20, 2010	PH Hagopian	\$1,128,000.00
Garfield ES-ERP #1101-Roofing	April 20, 2010	Danny Letner Roofing	\$262,000.00
Hoover ES-ERP #1301-Roofing	April 20, 2010	PH Hagopian	\$729,000.00
Jackson ES-ERP #1401-Roofing	April 20, 2010	Minco Construction	\$532,000.00
Monte Vista ES-ERP #1801-Roofing	April 20, 2010	Best Contracting Services	\$464,464.000
Wilson ES-ERP #2801-Roofing	April 20, 2010	Horizons Construction Co. Int'l	\$686,856.00
Santa Ana HS-Electrical ERP #402.3	February 15, 2010	MDE Group	\$1,300,000.00
Lincoln ES-Mod	May 13, 2010	Micon Construction	\$293,098.00
Century HS-Bldg Addition & Site Improvement	June 10, 2010	Multiple Primes (see attached list)	\$14,957,334.00
Santa Ana HS-2 Story Classroom Bldgs	June 18, 2010	Multiple Primes (see attached list)	\$9,028,501.00
Spurgeon IS	June 10, 2010	Multiple Primes (see attached list)	\$7,000,000.00
Santa Ana HS-HVAC ERP #406	May 17, 2010	USS Cal Builders	\$3,978,000.00
Total			\$126,521,543.00

B. List any project subject to the limited exemption clause of LC § 1771.5(a), if applicable.

Project Name	Description of Project	Contract Amount
None		
Total		

C. Summary of all wages and penalties assessed and/or recovered.

Project Name	Affected Contractor (who directly employed the worker)	Amount Assessed	Amount Recovered	Approval of Forfeiture Requested from Labor Commissioner?	Description of Violation
Diamond ES	Chandlers A/C & Refrigeration	\$131.81	\$131.81	No	Underpayment of Prevailing Wage
Diamond ES – Phase 2	Minco Construction	\$105.89	\$105.89	No	Underpayment of Prevailing Wage
Greenville ES – Phase 2	Y & M Construction	\$163.04	\$163.04	No	Underpayment of Prevailing Wage
Greenville ES	Chandlers A/C & Refrigeration	\$172.16	\$172.16	No	Underpayment of Prevailing Wage
Carr IS – Phase 2	Worthington Construction	\$161.04	\$161.04	No	Underpayment of Prevailing Wage
Santiago ES – Phase 2	Worthington Construction	\$60.00	\$60.00	No	Underpayment of Prevailing Wage
Kennedy ES	The Allison Company	\$128.80	\$128.80	No	Underpayment of Prevailing Wage
Greenville ES	Micon Construction Inc.	\$47.60	\$47.60	No	Underpayment of Prevailing Wage
Carr IS – Phase 2	Dominguez Construction	\$39.71	\$39.71	No	Underpayment of Prevailing Wage
Carr IS – Phase 2	Dominguez Construction	\$62.19	\$62.19	No	Underpayment of Prevailing Wage
Carr IS	Serenity Fire Protection	\$3,370.88	\$3,370.88	No	Underpayment of Prevailing Wage
Carr IS	Southwest Grading	\$1,100.00	\$1,100.00	No	Underpayment of Prevailing Wage
Carr IS	Mariscal Painting	\$398.16	\$398.16	No	Under-reporting of Manpower

Carr IS	Beckers Sheet Metal	\$1,969.94	\$1,969.94	No	Underpayment of OT rate for Saturday & Sunday
Diamond ES	Beckers Sheet Metal	\$1,644.41	\$1,644.41	No	Underpayment of OT rate for Saturday & Sunday
Martin ES – Phase 2	Kacey Construction	\$258.24	\$258.24	No	Apprentice not accompanied by a Journeyman
Carr IS	Modular Structures International	\$14,058.08	TBD	No	Miss classifications, underpayment of Prevailing Wage, Under reporting of manpower
Diamond ES – Phase 2	Minco Construction	\$31.68	\$31.68	No	Underpayment of Prevailing Wage
Total		\$23,903.63	\$9,845.55		

D. For any amount identified in item C for which approval of forfeiture not requested from the Labor Commissioner, please explain below.

Project Name	Amount Assessed	Amount Recovered	Explanation
Diamond ES	\$131.81	\$131.81	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers.
Diamond ES – Phase 2	\$105.89	\$105.89	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Greenville ES – Phase 2	\$163.04	\$163.04	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Greenville ES	\$172.16	\$172.16	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Carr IS – Phase 2	\$161.04	\$161.04	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Santiago ES – Phase 2	\$60.00	\$60.00	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Kennedy ES	\$128.80	\$128.80	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Greenville ES	\$47.60	\$47.60	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected

			the error with payment to workers
Carr IS – Phase 2	\$39.71	\$39.71	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Carr IS – Phase 2	\$62.19	\$62.19	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Carr IS	\$3,370.88	\$3,370.88	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Carr IS	\$1,100.00	\$1,100.00	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Carr IS	\$398.16	\$398.16	Inadvertent Contractor Error: Clerical data entry error. Contractor corrected error by providing proof of payment of wages and amended payroll record.
Carr IS	\$1,969.94	\$1,969.94	Inadvertent Contractor error. Contractor failed to pay OT rate for Saturday and Sunday. Contractor corrected error with payment of back wages to workers.
Diamond ES	\$1,644.41	\$1,644.41	Inadvertent Contractor error. Contractor failed to pay OT rate for Saturday and Sunday. Contractor corrected error with payment of back wages to workers.
Martin ES – Phase 2	\$258.24	\$258.24	Contractor failed to have an apprentice accompanied at all times by a journeyman.. Contractor corrected error with payment of back wages to worker.
Carr IS	\$14,058.08	TBD	Contractor failed to report all man power and hours, mis classification of trades; no apprentices on site or DAS 142; case is currently still being disputed.
Diamond ES – Phase 2	\$31.68	\$31.68	Inadvertent Contractor error. Contractor failed to pay the total hourly rate due to a predetermined increase. Contractor corrected the error with payment to workers
Total	\$23,903.63	\$9,845.55	

E. For any amount identified in item C for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project Name	Amount Assessed					Amount Recovered				
	LC §1776(g)	LC § 1775	LC § 1813	Wages	Total	LC § 1776(g)	LC § 1775	LC § 1813	Wages	Total

							0	0	0	0
Total										

F. Identify cases that are or were the subject of LC § 1742 proceedings.

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status
N/A				

G. Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1?

Please check one: ☐ YES ☒ NO

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral:

H. Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)?

Please check one: ☒ YES ☐ NO

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral:

Project: Carr I.S.- Prime: Al Shankle Construction, Subcontractor - Modular Structure International Inc: Referred to the Division of Apprenticeship Standards for failure to hire apprentices (No DAS 142 provided or proof of good faith effort). Modular Structures International Inc. was referred to the Division of Apprenticeship Standards on April 28, 2010.

Multiple Prime Contractors List for the following Projects:

Heninger ES – ORG

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|----------------------------|------------------|
| 1. PW Construction, Inc. | License # 479948 |
| 2. New Technology Plumbing | License # 782913 |

Santa Ana HS – MOD

- | | |
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| 1. Best Electric | License # 392737 |
| 2. Environmental Construction Group, Inc. | License # 811415 |
| 3. USS Cal Builders, Inc. | License # 654454 |
| 4. Verne's Plumbing Inc. | License # 674077 |
| 5. Westland Heating & Air Conditioning, Inc. | License # 349594 |

Century HS – Bldg Addition & Site Improvement

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|----------------------------------|------------------|
| 1. Chapman Coast Roof Co. | License # 927543 |
| 2. Continental Marble & Tile Co. | License # 394 |
| 3. Continental Plumbing, Inc. | License # 399073 |
| 4. Cool Air Supply Inc. | License # 525769 |
| 5. Crew, Inc. | License # 696291 |
| 6. Dennison Electric | License # 590408 |

Century HS – Bldg Addition & Site Improvement continued:

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|---|------------------|
| 1. Edge Dev. Inc. | License # 723993 |
| 2. Inland Bldg. Construction Companies, Inc. | License # 405281 |
| 3. J.L. Cobb Painting | License # 750947 |
| 4. KD Acoustics | License # 756879 |
| 5. Mitsubishi Electric, Elevators & Electronics USA | License # 791291 |
| 6. Nevell Group, Inc. | License # 816857 |
| 7. New Dimension Masonry | License # 630794 |
| 8. Park West Landscape | License # 441362 |
| 9. Qualco Fire Protection | License # 786012 |
| 10. Rey Art Landscape, Inc. | License # 754349 |
| 11. RND | License # 898471 |
| 12. Roy E. Whitehead, Inc. | License # 255108 |
| 13. Shamrock Paving, Inc. | License # 724588 |
| 14. Tower Glass, Inc. | License # 576476 |

Santa Ana HS – 2 Story Classroom Bldg

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|------------------------------------|------------------|
| 1. Angeles Contractor, Inc. | License # 587022 |
| 2. Best Contracting Services, Inc. | License # 456263 |
| 3. Brewster Electric, Inc. | License # 843591 |
| 4. Continental Flooring | License # 571581 |
| 5. Continental Marble & Tile Co. | License # 394 |
| 6. Economos Painting | License # 388522 |

Santa Ana HS – 2 Story Classroom Bldg continued:

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| 1. Platinum Construction | License # 870864 |
| 2. Roy E. Whitehead, Inc. | License # 255108 |
| 3. Sierra Lathing Company, Inc. | License # 198103 |
| 4. Verne's Plumbing, Inc. | License # 674077 |
| 5. Westland Heating & Air Conditioning, Inc. | License # 349594 |

Spurgeon IS

- | | |
|--|------------------|
| 1. ACH Mechanical Contractors, Inc. | License # 780560 |
| 2. Alpha Mechanical Heating & Air Conditioning | License # 735121 |
| 3. Circle City Electric | License # 582166 |
| 4. Continental Flooring | License # 571581 |
| 5. Crew, Inc. | License # 696291 |
| 6. Daart Engineering Company, Inc. | License # 372946 |
| 7. Gould Electrical Co. | License # 373036 |
| 8. Ideas – CA | License # 461106 |
| 9. Inland Empire Architectural Specialties, Inc. | License # 461106 |
| 10. Inland Pacific Tile, Inc. | License # 780298 |
| 11. J Kel Painting & Wallcovering, Inc. | License # 754163 |
| 12. KD Acoustics | License # 756879 |

Spurgeon IS continued:

- | | |
|------------------------------|------------------|
| 1. Montgomery Hardware Co. | License # 285746 |
| 2. Queen City Glass Co. | License # 289252 |
| 3. Rey Art Landscape, Inc. | License # 754349 |
| 4. Rocky Coast Framers, Inc. | License # 745061 |

5. Standard Drywall, Inc.
6. White Steel Inc.

License # 444328
License # 477294